

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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JAMES A. BRUNO and KATHLEEN M. BRUNO

Docket No. 5:09 CV 1308
(GTS/DEP)

Plaintiffs,

-against-

**STIPULATION OF
WITHDRAWAL OF
COMMON LAW CLAIMS**

NIAGARA MOHAWK POWER CORPORATION,
LG CONSTRUCTORS, INC., T D T REALTY
CORP., CORELLIS HOLDING CORP. and
THOMAS A. CORELLIS

Defendants.

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LG CONSTRUCTORS, INC.,

Third-Party Plaintiff,

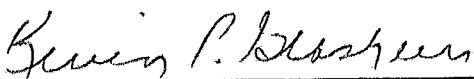
-against-


MICHELS POWER, A DIVISION OF MICHELS
CORPORATION and MICHELS CORPORATION,

Third-Party Defendants.

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IT IS HEREBY STIPULATED AND AGREED, by counsel for Defendant NIAGARA MOHAWK POWER CORPORATION ("NIAGARA") and Third-Party Defendants MICHELS POWER, A DIVISION OF MICHELS CORPORATION and MICHELS CORPORATION ("MICHELS") that NIAGARA's cross-claims seeking common law indemnity and contribution from MICHELS are hereby withdrawn, with prejudice, without costs to either party as against the other.


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CORPORATION
555 Fifth Avenue, 8th Floor
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(212) 730-7750
Our File No.: 80187.00006

IT IS SO ORDERED:

A handwritten signature in black ink, appearing to read "David E. Peebles", written over a horizontal line.

David E. Peebles
U.S. Magistrate Judge

Dated: January 23, 2012